

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**JOHN CUMMINGS
ADC # 79209**

PETITIONER

v.

Case No. 5:12-cv-00378

**RAY HOBBS, DIRECTOR
ARKANSAS DEPARTMENT OF CORRECTION**

RESPONDENT

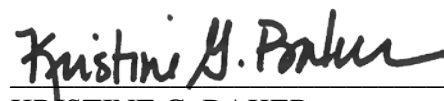
ORDER

On May 30, 2013, the Court granted petitioner John Cummings's motion for extension of time to file objections to United State Magistrate Judge Beth Deere's Recommended Disposition (Dkt. No. 10). Mr. Cummings had up to and including Monday, July 1, 2013, to file his objections. Mr. Cummings has not filed any objections. Therefore, the Court is prepared to rule on the Recommended Disposition.

After careful consideration, this Court adopts the Recommended Disposition as its own. Mr. Cummings's petition for writ of habeas corpus is hereby denied and dismissed with prejudice (Dkt. No. 2).

When entering a final order adverse to a habeas corpus petitioner, the Court must issue or deny a certificate of appealability. Rule 11 of the Rules Governing Section 2254 Cases. A certificate of appealability may issue only if a petitioner has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2). In this case, there is no basis for this Court to issue a certificate of appealability. Accordingly, a certificate of appealability is denied.

IT IS SO ORDERED THIS the 25th day of July, 2013.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive style with a horizontal line underneath it.

KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE